

Attorney's Docket No.: 10559-855001 / P17303
Intel Corporation

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-4, 14 and 34 stand rejected under 35 USC 102(e) or 103(a) as being anticipated by or obvious over Appenzeller et al., or alternatively as being obvious over Appenzeller et al. in view of Konishi et al. These contentions are respectfully traversed, and for reasons set forth herein, the rejection does not meet the patent office's burden of providing a prima facie showing of unpatentability.

Claim 1 recites an apparatus which includes both first and second conductive alignment regions, as well as first and second conducting contact regions. The carbon nanotube has a first end that is proximate to the first conductive alignment region and a second end that is proximate to the second conductive alignment region. The claims specifically recite that the first conducting contact region is separate from the first conductive alignment region. This is recited in the claims to emphasize that there is a separate alignment region and a separate contact region - they cannot be the same region. Moreover, this is not taught or suggested, and certainly is not disclosed by Appenzeller et al. Appenzeller et al.'s figure 4 describes

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growing a nanotube in situ between the regions, and Appenzeller et al. specifically describes that these regions such as 401 become the contact. The rejection alleges that there must be a separate contact. However, with all due respect, this is not the case. Appenzeller et al. never discloses or suggests a separate conductive alignment region and a separate conductive contact region for both of the first and second sides of the nanotubes. There is nothing in Appenzeller et al. that is suggestive of both an alignment region and a conducting contact region. In fact, everything disclosed in Appenzeller et al. appears to be a contact region. There is no teaching or suggestion of anything that is conductive and is an alignment region in Appenzeller et al.

Claim 1, which requires separate alignment and contact regions should therefore be patentable thereover along with the claims which depend therefrom.

Claim 14 has been amended to recite first and second nanotube alignment structures respectively, producing an electric field that automatically aligns the nanotube into place. This is further not suggested by Appenzeller et al. in view of Konishi et al. Moreover, it is believed that this is within the elected group, since the alignment regions were clearly described in elected Claim 1.

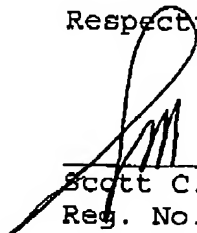
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This should obviate all remaining rejections in the case.
A notice on the merits is hence requested.

Applicant asks that all claims be allowed. No fee is
believed to be due, however please apply any applicable charges
or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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